

1 EDMUND G. BROWN JR.
Attorney General of California
2 FRANK H. PACOE
Supervising Deputy Attorney General
3 JUDITH J. LOACH
Deputy Attorney General
4 State Bar No. 162030
455 Golden Gate Avenue, Suite 11000
5 San Francisco, CA 94102-7004
Telephone: (415) 703-5604
6 Facsimile: (415) 703-5480
E-mail: Judith.Loach@doj.ca.gov
7 *Attorneys for Complainant*

8 **BEFORE THE**
9 **BOARD OF REGISTERED NURSING**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 2010-186

13 **KIM K. STEFFENSEN**

14 1114 Sutherland Lane, Apt. 1
15 Capitola, CA 95010
Registered Nursing License No. 470751

ACCUSATION

16 Respondent.

17
18 Complainant alleges:

19 PARTIES

20 1. Louise R. Bailey, M.Ed., RN ("Complainant") brings this Accusation solely in her
21 official capacity as the Interim Executive Officer of the Board of Registered Nursing, Department
22 of Consumer Affairs.

23 2. On or about August 31, 1991, the Board of Registered Nursing issued Registered
24 Nursing License Number 470751 to Kim K. Steffensen ("Respondent"). The Registered
25 Nursing License was in full force and effect at all times relevant to the charges brought herein and
26 will expire on April 30, 2011, unless renewed.
27
28

JURISDICTION

3. This Accusation is brought before the Board of Registered Nursing ("Board"), Department of Consumer Affairs, under the authority of the following laws. All section references are to the Business and Professions Code unless otherwise indicated.

4. Section 2750 of the Business and Professions Code ("Code") provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing Practice Act.

5. Section 2761 of the Code states:

"The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

"(a) Unprofessional conduct, which includes, but is not limited to, the following:

...

(f) Conviction of a felony or of any offense substantially related to the qualifications, functions, and duties of a registered nurse, in which event the record of the conviction shall be conclusive evidence thereof."

...

6. Section 2762 of the Code states:

"In addition to other acts constituting unprofessional conduct within the meaning of this chapter [the Nursing Practice Act], it is unprofessional conduct for a person licensed under this chapter to do any of the following:

...

"(b) Use any controlled substance as defined in Division 10 (commencing with Section 11000) of the Health and Safety Code, or any dangerous drug or dangerous device as defined in Section 4022, or alcoholic beverages, to an extent or in a manner dangerous or injurious to himself or herself, any other person, or the public or to the extent that such use impairs his or her ability to conduct with safety to the public the practice authorized by his or her license.

"(c) Be convicted of a criminal offense involving the prescription, consumption, or self-administration of any of the substances described in subdivisions (a) and (b) of this section . . . in which event the record of the conviction is conclusive evidence thereof."

...

7. Section 2764 of the Code provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the license.

8. Section 490 of the Code provides, in pertinent part, that a board may suspend or revoke a license on the ground that the licensee has been convicted of a crime substantially related to the qualifications, functions, or duties of the business or profession for which the license was issued.

9. Section 118, subdivision (b) of the Code provides that the expiration of a license shall not deprive the Board with the authority to proceed with a disciplinary action during the period within which the license may be renewed, restored, reissued or reinstated.

10. Section 125.3 of the Code provides, in pertinent part, that the Board may request the administrative law judge to direct a licensee found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

CAUSE FOR DISCIPLINE

(Criminal Conviction)

11. Respondent is subject to disciplinary action under Code sections 2761(f), 2762(b), 2762(c), and/or 490 in that on or about January 7, 2009, in a criminal proceeding entitled *The People of the State of California v. Kim K. Steffensen*, Santa Cruz County Superior Court, Case No. M46935, Respondent was convicted by her plea of no contest to a violation Vehicle Code section 23152(a) [driving while under the influence of alcohol], a misdemeanor. On December 4, 2008, Respondent was the responsible driver in an non-injury vehicular collision and found to have a breath alcohol concentration twice the legal limit, i.e., 0.17% and 0.16%. Respondent was sentenced to 3 days county jail, ordered to pay a fine in the amount of \$2143.00, to pay restitution

1 to two victims of her crime and was required to enroll in the First Offender Drinking Driver
2 Program.

3 PRAYER


4 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
5 and that following the hearing, the Board of Registered Nursing issue a decision:

6 1. Revoking or suspending Registered Nursing License Number 470751, issued to
7 Kim K. Steffensen.

8 2. Ordering Kim K. Steffensen to pay the Board of Registered Nursing the reasonable
9 costs of the investigation and enforcement of this case, pursuant to Business and Professions
10 Code section 125.3;

11 3. Taking such other and further action as deemed necessary and proper.

12 DATED: 10/5/09


13 LOUISE R. BAILEY, M.ED., RN
14 Interim Executive Officer
15 Board of Registered Nursing
16 Department of Consumer Affairs
State of California
Complainant

17 SF2009404721
18 40372760.doc
19
20
21
22
23
24
25
26
27
28